

- *Your brother owes you money and won't repay. Should you sue him in court?*
- *The neighbor's dog won't stop barking. How can you find a solution that works?*
- *Your mechanic said he fixed your car, but the problem persists. How do you resolve the dispute?*

Most people face a wide variety of conflicts on a daily basis. Historically people have used the court system in an attempt to resolve many of these problems. Is the court your only solution? Are there alternatives?

## What is mediation?

Mediation is a process that brings people together to clarify issues, discuss options and, if possible, reach an agreement. It is a form of dispute resolution that is an alternative to trial. Mediation involves all parties in the dispute working with a professional mediator trained in conflict resolution.

Mediation is voluntary. All parties involved in the dispute must agree to mediation. However, by using mediation, parties do not give up their legal rights. If an agreement is not reached, parties can still go to court.

## Should I go to court or mediate?

### ■ Court

#### **Cost**

Court fees, possible legal fees, cost of lost work and time.

#### **Discussion**

Directed by judge.  
Adversarial by nature.

#### **Decision/outcome**

Decided by judge.  
You win or lose.

#### **Privacy**

None, discussion is public record.

#### **Time**

Scheduled at convenience of court.  
Process may be lengthy with multiple court dates.

### ■ Mediation

#### **Cost**

Generally free. No legal fees. Session may be scheduled during non-work hours or at convenient times.

#### **Discussion**

Directed by you and other party.  
Cooperative by design.

#### **Decision/outcome**

Decided by you and the other party.

#### **Privacy**

Usually confidential

#### **Time**

Scheduled at a mutually-agreed time  
May involve only a single session.

## Who are the mediators?

Mediators come from all walks of life, with diverse backgrounds and experiences. Every mediator receives extensive training in conflict resolution, listening skills and working with people.

Mediators are trained to remain neutral. They will not make decisions for you, provide any legal advice or recommend the terms of an agreement.

All communications with a mediator remain confidential, except as defined by law.

## May I request mediation?

Yes. The District Court works with mediation programs throughout the state to provide an alternative to court. One such program is the Maryland Association of Community Mediation Centers (MACMC). Contact MACMC staff to discuss if mediation is right for you. MACMC can refer you to a local program who will continue the discussion and make necessary arrangements.

Contact MACMC at: 410-349-0080 or on the Web at: **[www.marylandmediation.org](http://www.marylandmediation.org)**

*When people bring their disputes to mediation, they often develop creative solutions that last.*

## District Court of Maryland Alternative Dispute Resolution

The District Court recognizes that many conflicts may be better resolved through mediation or some other alternative to litigation.

District Court's Alternative Dispute Resolution (ADR) coordinators screen cases that come before the Court and identify those that may benefit from mediation. Parties involved in these disputes may be offered the opportunity to mediate prior to the day of trial. Some courts may offer mediation on the day of trial.

Participation in the mediation program is voluntary and offers many benefits.

### Points to ponder

#### Should you mediate or go to court?

What could happen in court? What is the range of outcomes?

Are you comfortable with personal information being discussed in public?

How much time will it take and what will it cost to go to trial: to appeal a verdict; to resolve a countersuit?

How difficult will it be to collect a judgment? Will a favorable verdict resolve the underlying problem?

## Does mediation work?

*Mediation techniques have been proven effective in resolving a wide variety of conflicts, including those involving schools, businesses, government agencies and neighbors. In fact more than 50 percent of cases that go to mediation are resolved in mediation.*

Studies have shown that agreements reached in mediation have a higher compliance rate than other settlements. Remember, the agreement is decided upon by all parties involved in the dispute, so it will more likely be a lasting solution.

***You have nothing to lose  
in trying mediation.***

***If you can't reach an agreement,  
you can then go to court.***

#### For More Information

District Court of Maryland  
Alternative Dispute Resolution Office

Phone: 410-260-1676

Fax: 410-260-3536

<http://mdcourts.gov/district/adr/home.html>

For more information about the Maryland Judiciary and the District Court visit the website, at

<http://mdcourts.gov>

*It is the mission of the District Court of Maryland to provide equal and exact justice for all who are involved in litigation before the court.*

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What Is the  
Best Way to  
Resolve a  
Dispute?

Mediation